

REMARKS

In the Official Action mailed on **May 4, 2005**, the Examiner reviewed claims 91-141. Claims 91-125 were rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim subject matter. Claims 91-99, 101-103, 109-116, 119-120, 122, 124-128, 130-132, 134, 136-139 and 141 were rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. (USPN 6,370,620, hereinafter "Wu"). Claims 91, 98, 105-107, 112, 113, 126, 127, 136, 137 and 141 were rejected under 35 U.S.C. §102(e) as being unpatentable over Dias et al. (USPN 6,317,778, hereinafter "Dias"). Claims 98, 113, 118, 127 and 129 were rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan et al. (U.S. Pub No. 2002/0026560, hereinafter "Jordan") in view of Challenger et al. (USPN 6,266,742, hereinafter "Challenger"). Claims 104, 121 and 133 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Challenger. Claims 108, 123, 135 and 140 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wu in view of Wang (U.S. Patent Pub. No. 2002/0184368, hereinafter "Wang").

Rejections under 35 U.S.C. §112

Claims 91-125 were rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim subject matter. Applicant has amended independent claims 91 and 112 to correct claim objections and particularly point out and distinctly claim the subject matter which applicant regards as the invention. No new matter has been added.

Rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a)

Independent claims 91, 112, 113, 126, 127, 136, 137, and 141 were rejected as being anticipated by Wu. Independent claims 91, 112, 113, 126, 127, 136, 137, and 141 were rejected as being unpatentable over Dias. Independent

claims 113 and 127 were rejected as being unpatentable over Jordan in view of Challenger.

Applicant respectfully points out that none of the prior art cited incorporates a scheme in which each of the plurality of cooperating caches in the system **is configured to save previous configurations of the cache system.**

This is a significant advantage because when the configuration of the cooperating caches changes, the cache can quickly revert to the saved configuration. More specifically, the knowledge of these previous configurations and the content digests sent by cooperating caches are used to operate a warm-up phase that allows new caches to initiate rapidly as they enter the system.

There is nothing within Wu, Dias, or Jordan, either explicit or implicit, which suggests storing previous configuration information or using digests to enable rapid recovery from cache server failure.

Accordingly, Applicant has amended independent claims 91, 112, 113, 126, 127, 136, 137, and 141 to clarify that the present invention incorporates a scheme to save previous configurations of the cache system and to send content digests that allows new caches to initiate rapidly as they enter the system. These amendments find support on page 17, lines 3 to 15 of the instant application.

Hence, Applicant respectfully submits that independent claims 91, 112, 113, 126, 127, 136, 137, and 141 as currently amended are in condition for allowance. Applicant also submits that claims 92-111, which depend upon claim 91, claims 114-125, which depend upon claim 113, claims 128-135, which depend upon claim 127, and claims 138-140, which depend upon claim 137, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By



Edward J. Grundler

Registration No. 47,615

Date: 26 May 2005

Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616-2914
Tel: (530) 759-1663
FAX: (530) 759-1665